

7/2	AT&T	Wireless Telecommunications Bureau	<u>CC 95-185</u> Interconnection between LECs and CMSR Providers <u>GN 93-252</u> Regulatory Treatment of Mobile Services
7/2	AirTouch Paging et al.	Ofc. of Cmsr. Quello Ofc. of Cmsr. Chong Wireless Telecommunications Bureau	<u>WT 96-18</u> Paging Systems
7/2	CSC	International Bureau	<u>ET 96-20</u> Fixed - Satellite Service
7/2	United States Telephone Assn.	Federal State Joint Board	<u>CC 96-45</u> Universal Service
7/2	Blab Television Network, Inc.	Ofc. of Chairman Hundt	<u>CS 96-60</u> Uniform Systems of Accounts
7/2	AT&T	Common Carrier Bureau	<u>CC 96-61</u> Interexchange Marketplace
7/2	GTE		
7/2	Sprint	Secretary	
7/2	Wireless Cable Assn. International, Inc.	Cable Services Bureau	<u>CS 96-83</u> Reception Devices
7/2		Ofc. of Cmsr. Chong	

7/2	AT&T	Common Carrier Bureau Ofc. of General Counsel	<u>CC 96-98</u> Local Competition Provisions in the Telecommunications Act of 1996
7/2		Cable Services Bureau Wireless Telecommunications Bureau	
7/2		Ofc. of General Counsel	
7/2		Common Carrier Bureau Ofc. of General Counsel	
7/2	Skadden, Arps, Slate, Meagher & Flom	Common Carrier Bureau	
7/2	Paging Network, Inc. et al.		
7/2	Illinois Commerce Commission		
7/2			
7/2			
7/2	AT&T et al.		
7/2	World Com	Ofc. of Chairman Hundt Ofc. of Cmsr. Quello Ofc. of Cmsr. Chong Ofc. of Cmsr. Ness Ofc. of General Counsel Ofc. of Plans & Policy Common Carrier Bureau	
7/2	MCI	Secretary	
7/2	SBC	Common Carrier Bureau	
7/2	American Communications Services, Inc.	Ofc. of Chairman Hundt	
7/2	NYNEX		

9783
1351

7/2	AT&T Wireless Services, Inc.	Ofc. of Chairman Hundt	<u>CC 96-98</u> Local Competition Provisions in the Telecommunications Act of 1996 <u>CC 95-185</u> Interconnection between LECs and CMSR Providers <u>GN 93-252</u> Regulatory Treatment of Mobile Services
7/2		Ofc. of Cmsr. Quello	
7/2		Ofc. of Cmsr. Chong	
7/2		Wireless Telecommunications Bureau	
7/2	Telecommunications Resellers Assn.	Ofc. of Cmsr. Quello	<u>CC 96-98</u> Local Competition Provisions in the Telecommunications Act of 1996 <u>CC 96-61</u> Interexchange Marketplace
7/2	Continental Cablevision, Inc.	Ofc. of Chairman Hundt	<u>CC 96-112</u> Allocation Costs - Video Programming Services
7/2		Common Carrier Bureau	
7/2	BellSouth		
7/2	SBC		
Non-docket Proceedings			
7/2	Dept. of State	Chairman Hundt	<u>844-DSE-P/I-96 et al.</u> Applications of WTCI and Telquest
7/2	Telesat	Secretary	
7/2	Power DirecTV		

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3007

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May 28, 1996 63126

Ex Parte Presentations and Post-Reply Comment Period Filings in Non-Restricted Proceedings

The following is a list of ex parte presentations and Post-Reply Comment Period Filings received by the Secretary of the Commission on or before May 17, 1996. Copies of these written presentations and memoranda reporting oral presentations, if they relate to docket proceedings, are available for inspection and copying in the appropriate docket in the FCC Reference Center (Room 239, 1919 M St., N.W., Washington, D.C.) which is open Monday through Friday, 9:00 AM to 4:30 PM; or, if they relate to non-docket proceedings, in the appropriate bureau. Also, the duplicating contractor, ITS, Inc., located in Room 246, as well as offices at 2100 M St., N.W. Suite 140, Telephone Number (202) 857-3800, will provide, for a fee, copies of these materials. For additional information, contact Barbara Lowe at (202) 418-0310.

Date Received	Presentation by:	Presentation to:	Docket No.
5/16	Center for Accessible Living	Chairman Hundt	<u>CC87-124</u> Hearing Impaired
5/16	Motorola American Mobile Telecommunications Association	Ofc. of Chairman Hundt	<u>PR 89-552</u> Use of 220-222 MHz
5/16		Ofc. of Chairman Hundt	
5/17		Ofc. of Cmsr. Ness	
5/16		Ofc. of Cmsr. Chong	
5/17	Securicor Radiocom Ltd.	Secretary	<u>PR 89-552</u> Use of 220-222 MHz <u>GN 93-252</u> Regulatory Treatment of Mobile Services <u>PP 93-253</u> Competitive Bidding

3008

5/17	Cellular Telecommunications Industry Association	Wireless Telecommunications Bureau	<u>CC 92-115</u> Public Mobile Services
5/15	Community Broadcasters Association	Ofc. of Cmsr. Chong	<u>MM 92-266</u> Cable TV-Rate Regulation <u>CS 96-60</u> Rate Regulation- Leased Commercial Access
5/17	ComTech Associates Inc.	Secretary	<u>CC 92-297</u> Multipoint Distribution Service
5/17	Teletrac, Liscense, Inc.	Ofc. of Cmsr. Quello	<u>PR 93-61</u> Automatic Vehicle Monitoring Systems
5/15	Arthur Varanelli	Chairman Hundt Cmsr. Quello Cmsr. Ness Cmsr. Chong Ofc. of Engineering and Technology Ofc. of General Counsel	<u>ET 93-62</u> Radiofrequency Radiation
5/17	South Carolina Public Service Commission	Chairman Hundt	<u>PR 93-144</u> SMR Systems
5/16	American Mobile Telecommunications Association, Inc.	Wireless Telecom- munications Bureau	
5/16	NYNEX	Common Carrier Bureau	<u>CC 93-162</u> Revisions to Tariffs
5/17	SBC Communications Inc.	Secretary	
5/16	Cook Inlet Region, Inc.	Ofc. of General Counsel Wireless Telecommunications Bureau	<u>PP 93-253</u> Competitive Bidding <u>WT 96-59</u> Rules for Auctioning Remaining B/cing Licenses
5/17		Secretary	

5/16	Sprint	Common Carrier Bureau	<u>CC 94-1</u> Price Cap Performance
5/16	Ameritech		
5/16	American Mobile Telecommunications Association	Wireless Telecommunications Bureau	<u>CC 94-54</u> Commercial Mobile Radio Service
5/14	GHz Equipment Company, Inc.	Ofc. of General Counsel	<u>CC 94-124</u> Emergency Calling System
5/16	Bell Atlantic	Secretary	<u>CC 95-60</u> Uniform Systems of Accounts
5/16	Time Warner Communications	Cmsr. Quello	<u>CC 95-116</u> Telephone Number Portability
5/16		Ofc. of Cmsr. Ness	
5/17	AT&T	Common Carrier Bureau	
5/16	Milliwave Limited Partnership	Ofc. of Cmsr. Chong	<u>ET 95-183</u> 37.0-38.6 GHz Bands
5/17	Altron Communications, L.C. et al.	Chairman Hundt Cmsr. Quello Cmsr. Ness Cmsr. Chong Wireless Telecommunications Bureau	<u>ET 95-183</u> 37.0-38.6 GHz Bands <u>PP 93-253</u> Competitive Bidding
5/16	Richard A. Epstein	Ofc. of General Counsel	<u>CC 95-185</u> Interconnection between LECs and CMRS Providers
5/16	Chrysler Minority Dealers Association	Chairman Hundt	
5/16	AT&T	Wireless Telecommunications Bureau	<u>WT 96-6</u> Commercial Mobile Radio Services
5/17	AirTouch Paging	Wireless Telecommunications Bureau	<u>WT 96-18</u> Paging Systems
5/16	Sprint	Common Carrier Bureau	<u>CC 96-22</u> Interstate Rate of Return Prescription Procedure

3010

5/15	Ronda Hauben	Secretary	CC 96-45 Universal Service
5/16	GTE et al.	Ofc. of Chairman Hundt Cmsr. Chong Common Carrier Bureau Federal-State Joint Board Ofc. of Plans and Policy	
5/16	National Association of the Deaf et al.	Secretary	
5/17	Andrea Palmer	Chairman Hundt Cmsr. Quello Cmsr. Ness Cmsr. Chong	
5/17	Clifford Neal Smith	Secretary	
5/17	American Library Association	Chairman Hundt	
5/17	Laconia High School	Secretary	CS 96-46 Open Video Systems
5/15	American Library Association	Common Carrier Bureau	
5/16			
5/16	Michigan Indiana and Texas Communities	Ofc. of Cmsr. Ness	
5/17	Bell Atlantic et al.	Ofc. of Chairman Hundt	
5/17	National Cable Television Association	Ofc. of Chairman Hundt	
5/17		Ofc. of Cmsr. Ness	
5/17		Ofc. of Cmsr. Chong	
5/17	Tele- Communications, Inc.	Ofc. of Chairman Hundt	

5/17	Dept. of Consumer Affairs, Fairfax County, Virginia	Ofc. of Chairman Hundt Cable Services Bureau Common Carrier Bureau Compliance and Information Bureau International Bureau Mass Media Bureau Ofc. of Engineering and Technology Ofc. of General Counsel Ofc. Of Public Affairs Ofc. of Legislative and Intergovernmental Affairs Wireless Telecommunications Bureau	<u>CS 96-46</u> Open Video Systems <u>CS 96-83</u> Multichannel Multipoint Distribution Service <u>IB 95-59</u> Sattellite Earth Stations
5/16	Telephone and Data Systems, Inc.	Ofc. of Cmsr. Chong	<u>WT 96-59</u> B/cing PCS Licenses
5/14	Omnipoint Corporation	Ofc. of Cmsr. Chong	<u>WT 96-59</u> B/cing PCS Licenses
5/15	AT&T et al.	Ofc. of Communications Business Opportunities Ofc. of General Counsel Wireless Telecommunications Bureau	<u>GN 90-314</u> Personal Communications Services
5/15		Ofc. of Cmsr. Ness	
5/15		Ofc. of Cmsr. Chong	
5/16	Chase Telecommunications Inc.	Wireless Telecommunications Bureau	
5/16			
5/16	NextWave Telecom Inc.	Ofc. of Communications Business Opportunities	

3012

5/16	Glendale/Burbank Channel	Secretary	<u>CS 96-60</u> Rate Regulation- Leased Commercial Access
5/16	Pacific Telesis	Chairman Hundt Cmsr. Quello Cmsr. Ness Cmsr. Chong	<u>CC 96-98</u> Local Competition Provisions in the Telecommuni- cations Act of 1996
5/16	AT&T	Chairman Hundt Common Carrier Bureau Ofc. of General Counsel Ofc. of Plans and Policy	
5/17	BellSouth Corporation	Ofc. of Chariman Hundt	
Non-docket Proceedings			
5/16	Teleglobe	International Bureau	I-T-C-96-020

-FCC-

ATTACHMENT 4
Pre-Notice Presentation
Discussion of Freeze Issues

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January 31, 1996

By Facsimile

Ruth Milkman, Senior Legal Advisor
Office of Chairman Reed E. Hundt
Federal Communications Commission
1919 M Street, N.W.
Room 814
Washington, D.C. 20554

Re: Market Area Licensing for Paging

Dear Ms. Milkman:

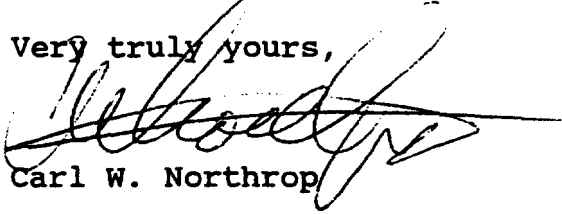
Thank you for taking the time last week to meet with representatives of Arch Communications Group, AirTouch Paging and Westlink Paging to discuss the above item.

Pursuant to your suggestion, we followed up early this week with meetings with all of the other Commissioners' offices. We distributed a summary of our major points at these meetings, a copy of which is attached for your information and review.

Our paging clients continue to be resolute in their conviction that any Commission action preventing them from being able to continue to file and prosecute applications to expand their coverage will have a devastating impact on the industry, and seriously tarnish one of the Commission's shining examples of the benefits of robust competition.

If we can provide any further information to you prior to the sunshine period, please do not hesitate to call.

Very truly yours,


Carl W. Northrop

CWN:yo
Attachment

**Presentation on Market-Area
Licensing For Paging**

By:

**AirTouch Paging
Arch Communications Group
Westlink Paging**

Date: January 29, 1996

The Paging Industry Is In A Particularly Dynamic Phase Of Its Development.

The Paging Industry is highly competitive and characterized by:

- Multiple, well-financed competitors in every market engaged in aggressive geographic expansion programs.
- Substantial increases in penetration and the number of units in service, with sustained annual growth on an industry-wide basis above 25%.
- Plummeting costs of paging service, with average decreases of average revenue per unit of approximately 10% per year, or more, year after year.
- The rapid introduction by carriers of enhanced and improved services using new technologies on existing and new spectrum.
- Tens of millions of dollars of new investment each year.

The Commission Should Not Impose a Transition Plan That Will Interrupt or Halt This Success Story!

Making the Transition To Market Area Licensing For Paging Presents Unique Issues That Were Not Present In Other Industry Segments That Made Such a Transition.

- Unlike other services (including 39 GHz) that were being moved to market area licensing, the paging market is relatively well developed and is populated by carriers of long standing with substantial records of public service.
- The paging market has multiple strong competitors in common markets, unlike 800 SMR where most major markets had a single carrier with a dominant channel position, or 220 MHz where licenses have not built systems.
- Unlike 800 SMR, rule changes are not necessary to implement new paging technologies.
- There are no large unlicensed areas, which distinguishes the situation from 900 SMR.
- A paging licensing freeze will not deter speculation, but will harm the industry.
 - Speculation has largely run its course; there is no wide-area spectrum left.
 - Enforcing existing construction and requirements will take care of speculators who have filed "single stick" applications.
 - A freeze would have the unintended effect of increasing the value of holdings of any who have made speculative filings.

Any Disruption In The Ability Of Paging Licensees To Process Applications For Modifications to 929 MHz and 931 MHz Systems Will Be Devastating.

- Explosive growth has required the development of new systems ahead of schedule.
- Primary wide-area systems are reaching capacity which requires that systems now devoted to local service or travel coverage be expanded substantially in the near term.
 - The natural evolution of broader geographic coverage will be halted and the public will suffer.
- The licensing delays that occurred while the Commission was developing its 931 MHz algorithm have left carriers with urgent needs to modify existing systems.
 - Paging system delays are approaching 15 minutes in some major markets which creates serious public service problems.
- Carriers are in the midst of building extensive national and multi-state regional 929 MHz PCP systems following the relatively recent implementation of earned exclusivity.
 - Competition to existing systems will suffer if ongoing construction programs must stop.
 - Significant construction activity remains for the initially granted systems.

Competition Will Be Substantially Harmed If System Modifications Cannot be Implemented Quickly.

- Coverage is a major basis of competition. Walling carriers into existing territories, even for a brief period, will do serious competitive harm.
 - The inability to respond promptly to a customer's need for increased coverage, or a competitor's offer of expanded coverage can have immediate adverse competitive consequences.
- Competition will only flourish if carriers are able to match their competitor's coverage.
- The implementation of advanced paging technologies operating at higher baud rates (e.g. Flex technology) requires that transmitters be added to existing systems.
- Increased competition to existing nationwide and multi-state regional systems can only develop if licensing activity continues.

The Commission's Best Intentions to have Application Freezes be Short Lived Have Proved Unrealistic in the Past .

- Application Freezes in other services have lasted substantial periods of time.
 - The 800 SMR freeze has lasted 1 and 1/2 years.
 - The MMDS freeze lasted over 3 years.
 - The 220 MHz freeze has lasted 4 and 1/2 years.
- Several considerations suggest that this paging rulemaking will require quite some time to resolve.
 - Hundreds of paging companies will be affected, meaning that comments are likely to be extensive.
 - Major differences in the current licensing schemes for 929 MHz, 931 MHz and other (UHF, VHF) paging bands complicate the transition issues
 - Since the industry is not proposing these rule changes, there is no current industry consensus and it will take some time for a consensus to emerge
 - Many important telecommunications dockets will be competing for attention.

The AirTouch/Arch/Westlink Proposal.

- Continue to process paging applications in the ordinary course.
 - Now that the 931 MHz algorithm has been refined, the Commission should take advantage of the work it has done and use it to expedite licensing.
 - 929 MHz is coordinated, so few Commission resources are needed to license this spectrum.
- Seek to expedite the conclusion of the rulemaking so that market area licensing can be implemented in the near term.
- Proceed with grants of nationwide, regional and local exclusivity based upon current rules (as revised on reconsideration).
 - Carriers should be allowed to complete ongoing construction programs with an element of certainty that they will have the exclusive use of channels which they have earned under the existing rules.

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NAME: Paul H. Kuzia
COMPANY: Arch Communications Group
TELESCOPIER NO.: 508/898-1953
TELEPHONE NO.: 508/898-0962

SENDER INFORMATION

NAME: Carl W. Northrop
TELEPHONE NO.: 202/508-6152
CLIENT/MATTER NO.: 042370

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May 17, 1996

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VIA MESSENGER

Mr. William F. Caton
Acting Secretary
1919 M Street, N.W.
Room 222
Washington, D.C. 20554

Re: Notice of Ex Parte Contact
WT Docket No. 96-18

Dear Mr. Caton:

On May 14, 1996, Mark Stachiw and Carl Northrop, both representing AirTouch Paging, met with David Furth, Sandra Danner, Mika Savir and Jay Jackson of the Commercial Wireless Division to discuss the permanent licensing procedures under consideration in the above-referenced proceeding regarding the transition to a geographic area licensing scheme for paging services.

The presentation was consistent with the written comments and reply comments filed by AirTouch Paging in the docket on March 18, 1996 and April 2, 1996, respectively.

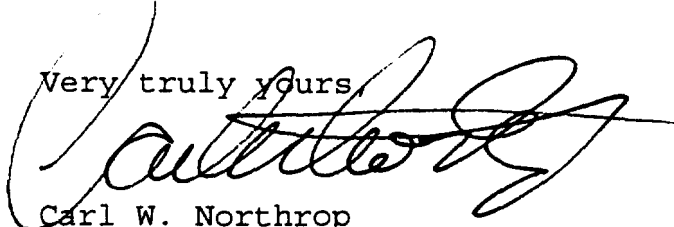
A hand-out outlining the presentation topics was distributed. A copy is attached.

PAUL, HASTINGS, JANOFSKY & WALKER

Mr. William F. Caton
May 17, 1996
Page 2

Kindly refer any questions in connection with this matter to the undersigned.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Carl W. Northrop', written over the words 'Very truly yours,'.

Carl W. Northrop
of PAUL, HASTINGS, JANOFSKY & WALKER

Enclosure

cc: David Furth
Sandra Danner
Mika Savir
Jay Jackson

PAUL HASTINGS, JANOFSKY & WALKER

Mr. William F. Caton

May 17, 1996

Page 3

bcc: Mark Stachiw

**Permanent Licensing Rules
for Paging Systems**

(WT Docket No. 96-18)

**AIRTOUCH PAGING
MAY 15, 1995**

Many Aspects of the Commission's Proposal to Facilitate the Future Development of Paging Systems Serve the Public Interest and Enjoy Substantial Industry Support

- The current Site-by-Site licensing procedure should be replaced with geographic licensing
- Electronic simultaneous multi-round auctions are the proper licensing mechanism
- Nationwide paging channels should be exempted from the auction
- Meaningful construction benchmarks are appropriate